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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,484	03/22/2004	Michael J. Michelsen	026595-005000US	2784
20350 7590 02/13/2009 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
			EXAMINER AKINTOLA, OLABODE	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 02/13/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/806,484

Applicant(s)

MICHELSEN ET AL.

Examiner

OLABODE AKINTOLA

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

In view of the appeal brief filed on 11/24/2008, PROSECUTION IS HEREBY REOPENED.

New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following options:

(1) File a reply under 37 CFR 1.111 (if this office action is non-final) or a reply under 37 CFR 1.113 (if this office action is final); or,

(2) Initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fees and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in the 37 CFR 41.20 have been increased since they were previously paid, then the appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Alexander Kalinowski/

Supervisory Patent Examiner, Art Unit 3691

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin et al (US 6012048) in view of Knight et al (USPAP 20010034682).

Re claims 1, 4 and 11-12: Gustin teaches a computerized method for transferring money, the method comprising: receiving at a host computer system from a point of sale device transactional information that includes information on a bank account that is to receive the money, wherein the money is provided in cash at the point of sale device (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F); storing the transaction information at the host computer system (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F);

Gustin further teaches transmitting at least some of the transaction information to a banking network and thence to the recipient's account in the receiving bank.

Examiner notes that Gustin's teaching is in the environment of local money transfer (i.e. within a particular country) and not international money transfer.

Gustin does not explicitly teach transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in different countries; determining with the intermediary computer system which one of the

banking networks is associated with the bank account that is to receive the money; transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (claims 1 and 11-12); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (claim 4).

However, Knight in the same field of art, teaches the concept of transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in different countries (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); determining with the intermediary computer system which one of the banking networks is associated with the bank account that is to receive the money (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international fund transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004).

Re claim 2: Gustin teaches crediting the bank account with the amount of money (col. 4, lines

18-32, col. 19, lines 27-44, fig. 19F).

Re claims 3 and 13: Gustin further teaches wherein a transactional identifier incorporating an account number of the bank account that is to receive the money is indicative of the local bank network (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F). Gustin does not explicitly teach wherein the intermediary computer system comprises an international bank computer system having regional banks, wherein the request to deposit the money passes from one of the regional banks and into the local banking network.

Knight teaches wherein the intermediary computer system comprises an international bank computer system having regional banks, wherein the request to deposit the money passes from one of the regional banks and into the local banking network, and wherein a transactional identifier incorporating an account number of the bank account that is to receive the money is indicative of the local bank network (paragraphs 0004, 0005, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international wire transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004-0005).

Re claims 5, 9, 10, 14 and 17: Gustin teaches a computerized method for transferring money, the method comprising: receiving at a host computer system from a point of sale device transactional

information that includes information on a bank account that is to receive the money, wherein the money is provided in cash at the point of sale device (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F); storing the transaction information at the host computer system (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

Gustin does not explicitly teach transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in a certain country; transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (claims 5 and 14); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (claim 9); wherein the transaction information that is sent to the intermediary computer system comprises an ACH transaction (claims 10 and 17)

Knight teaches transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in a certain country (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); and transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); wherein the transaction information that is sent to the intermediary computer system comprises an ACH transaction (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040).

Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international fund transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004, 0034).

Re claim 6: Gustin teaches crediting the bank account with the amount of money (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

Re claims 7 and 15: Gustin does not explicitly teach wherein the intermediary computer system comprises a regional bank computer system, wherein the request to deposit the money passes from the regional bank computer system and into the local banking network.

Knight teaches wherein the intermediary computer system comprises a regional bank computer system, wherein the request to deposit the money passes from the regional bank computer system and into the local banking network (paragraphs 0004, 0005, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international wire transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004-0005).

Re claims 8 and 16: Gustin does not explicitly teach wherein the intermediary computer system comprises a regional banking association computer system, wherein the request to deposit the money passes from the regional bank association computer system and into the local banking network.

Knight teaches wherein the intermediary computer system comprises a regional bank association computer system, wherein the request to deposit the money passes from the regional bank association computer system and into the local banking network (paragraphs 0004, 0005, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international wire transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure (paragraphs 0004-0005).

Claims 18, 20-21, 23-27 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara (US 20020016769) and further in view of Kosuda (US 20010051923).

Re claims 18 and 25-26: Gustin teaches a method for processing a money transfer transaction where money is transferred into a recipient's bank account, the method comprising: entering into a point of sale device information on a bank account number of a bank account that is to receive

the money, a bank name of a bank that is to receive the money; transmitting the entered information to a host computer system (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19D-F); Gustin does not explicitly teach entering a location of the bank even though the FED routing code (ABA) could be indicative of the bank location. However, Barbara in the same field of art teaches entering information on a bank account number of a bank account that is to receive the money, a bank name of a bank that is to receive the money and a location of the bank (figs. 10-12, paragraphs 0078-0084). It would have been obvious to one of ordinary skill in the art at the time of the invention to include this feature to Gustin in order to specify the location of the recipient bank especially for non domestic banks.

Gustin and Barbara do not explicitly teach incorporating the account number, bank name and location into a transaction identifier. However, as evidenced by Kosuda at paragraphs 0050, this concept is old and well known. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this information into a single transaction identifier for the obvious reason of codifying the transaction message.

Gustin further teaches transmitting a customer identifier to the customer that is associated with the transaction identifier (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

Re claim 20: Gustin teaches entering into the point of sale device an amount to be transferred, and transmitting from the host computer system to a bank the transaction identifier and the amount to be deposited (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19D-F).

Re claims 21, 23-24, 27 and 29-30: Gustin does not explicitly teach wherein the transaction identifier comprises an eighteen digit number, with the first three digits corresponding to the bank name, the second three digits corresponding to the bank location, the next eleven digits corresponding to the account number, and the last digit corresponding to a check digit. Kosuda teaches these concepts (paragraph 0050). However, Kosuda does not explicitly teach the designated number of digits and/or formats as recited in the claim. However, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Gustin and Kosuda combination to include the number of digits and/or formats as claimed as this depends on the requirement of the banking network. One would have been motivated to do this in order to be compliant with requirement of the banking network.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara, Kosuda and further in view of Apostolides (US 20050075968).

Re claim 19: Gustin does not explicitly teaches entering the customer identifier into a point of sale device when performing another money transfer transaction, transmitting the customer identifier to the host computer system, and returning information contained in the transaction identifier from the host computer system to the point of sale device. Apostolides teaches the concept of using a key identifier (customer identifier) to execute a retrieval program to access, collect and pre-populates a data screen with other data (information contained in transaction identifier) associated with the key identifier (customer identifier) (paragraph 0114). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gustin

to include this concept such that the customer identifier is used to retrieve and pre-populate the host computer system with prior transaction information related to the customer identifier, obviating the need to input same transaction details, thereby saving time.

Claims 22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara, Kosuda and further in view of Orcutt (US 20050097050).

Re claims 22 and 28: Gustin does not explicitly teach adding zeros in front of the account number if less than eleven digits. Orcutt teaches this concept (paragraph 0261). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Gustin to include this feature for the obvious reason converting the account number into appropriate format.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Thomas et al (US 6317745) teaches trusted third party data structure for electronic funds transfer and bill presentment.

Almonte et al (US 7110980) teaches a system and method for facilitating electronic transfer of funds (col. 4, lines 51 through col. 5, line 2, col. 5, lines 58-66, col. 6, lines 16-37)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLABODE AKINTOLA whose telephone number is (571)272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Olabode Akintola/

Examiner, Art Unit 3691